

ORDINANCE NO. 90- 14

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, PROVIDING FOR THE ESTABLISHMENT OF THE "COMBAT AUTOMOBILE THEFT" PROGRAM; PROVIDING FOR SHORT TITLE; PROVIDING FOR CONSENT FORMS; PROVIDING FOR PROGRAM IMPLEMENTATION; PROVIDING FOR JURISDICTION; PROVIDING FOR REPEAL OF CONFLICTING LAWS; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida recently amended Section 316.008, Florida Statutes, authorizing the County to establish a Combat Automobile Theft Program whereby motor vehicle owners may enroll their vehicles by issuing consent in advance for a law enforcement officer to stop the vehicle during designated times; and

WHEREAS, it has been shown that such a program deters automobile theft; and

WHEREAS, enactment of such a program would be in the best interest of the citizens of Palm Beach County.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

SECTION I. SHORT TITLE This ordinance shall be called and may be cited as the "Palm Beach County Combat Automobile Theft Ordinance."

SECTION II. COMBAT AUTOMOBILE THEFT PROGRAM There is hereby established a Combat Automobile Theft Program. Such program shall include:

A. Consent forms to be signed by motor vehicle owners who wish to enroll their vehicles; and

B. Bright yellow decals indicating a vehicle's enrollment in the program.

SECTION III. CONSENT FORMS The consent forms referenced in Article 2, Section A above shall:

A) Explain the general operation of the program;

B) Provide authorization for a law enforcement officer to stop the vehicle when it is being driven between the hours of 1:00 A.M. and 5:00 A.M., provided that a decal is conspicuously affixed to the bottom left corner of the back window of the vehicle to provide notice of its enrollment in the program;

1 C) Advise the motor vehicle owner of the proper means by
2 which the driver of the vehicle should cooperate with the law enforcement
3 officer in such instance;

4 D) Provide that the owner of the motor vehicle is
5 responsible for removing the decal when terminating participation in the
6 program, or when selling or otherwise transferring ownership of the
7 vehicle and for notifying the Palm Beach County Sheriff's Office in
8 writing of said termination;

9 E) Provide that the owner of the motor vehicle is
10 responsible for informing any person authorized to use the vehicle that
11 said vehicle is registered in the program.

12 F) Clearly provide that participation in the Combat
13 Automobile Theft Program is strictly voluntary and may be terminated at
14 any time; and

15 G) Include a statement which indicates that the consent
16 form has been read and understood in its entirety, including the
17 procedures to be observed by the driver in a stop.

18 SECTION IV. PROGRAM IMPLEMENTATION The Combat Automobile Theft
19 Program may be implemented upon approval of program materials and
20 procedures, including guidelines and procedures for making a stop of a
21 vehicle bearing a decal, by the Sheriff of Palm Beach County and the
22 County Attorney. Such program materials and procedures may be subject to
23 periodic review and approval by the Sheriff and the County Attorney.

24 SECTION V. JURISDICTION This ordinance shall be applicable in
25 both the incorporated and unincorporated areas of Palm Beach County.

26 SECTION VI. REPEAL OF CONFLICTING LAWS All laws and ordinances
27 applying to Palm Beach County in conflict with any provisions of this
28 ordinance are hereby repealed.

29 SECTION VII. INCLUSION IN CODE It is the intention of the
30 Board of County Commissioners of Palm Beach County and it is hereby
31 ordained that the provisions of this ordinance shall become and be made a
32 part of the Code of Laws and Ordinances of Palm Beach County, Florida;
33 and the sections of the ordinance may be renumbered or relettered to
34 accomplish such intention; and that the word "ordinance" may be changed
35 to "section," "article" or other appropriate word.

SECTION IX. EFFECTIVE DATE The provisions of this ordinance shall become effective upon receipt of acknowledgement by the Secretary of State that this ordinance has been filed with the Department of State.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By Carol Elmerick
Chairman

JOHN B. DUNKLE, CLERK
Board of County Commissioners
By Judith Croshaw
DEPUTY CLERK

EFFECTIVE DATE: Acknowledgement from the Department of State
received on this 3rd day of May, 1990, at 9:54
A.M., and filed in the Office of the Clerk of the Board of County
Commissioners of Palm Beach County, Florida.

STATE OF FLORIDA COUNTY OF PALM BEACH
I, JOHN B. DUNKLE, Clerk of the Board of County Commissioners, do hereby certify that this is a true and correct copy of the original filed in my office on 4/17/98.
DATED at West Palm Beach, FL on 5/9/98.
JOHN B. DUNKLE, Clerk
By: [Signature] Deputy Clerk D.C.